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AO 91 (Rev. 08/09) Criminal Complaint

AUSA Sara D. Woodward 313.226.9180
Special Agent Sterling Price, FBI TFO 734-585.6003

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

PHILLIP LUCKY MCINTYRE

Case: 2:16-mj-30361
Assigned To : Unassigned
Assign. Date : 8/17/2016
Description: CMP USA v. SEALED MATTER (SO)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 2016 in the county of Wayne and elsewhere in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. 1591	sex trafficking of a minor

This criminal complaint is based on these facts:

See attached affidavit


☒ Continued on the attached sheet.


Complainant's signature

Task Force Officer Sterling Price, FBI
Printed name and title

Sworn to before me and signed in my presence.

Date: August 17, 2016City and state: Detroit, MI


Judge's signature

Honorable R. Steven Whalen, Executive U.S. Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF AN ARREST WARRANT

I, Sterling S. Price, ("Affiant"), being duly sworn, depose and state the following:

1. I am employed by the Huron Township Police Department as a Police Officer and assigned to the Federal Bureau of Investigation (FBI) as a Task Force Officer (TFO), and have been so assigned since January 2016. I am currently assigned to the Southeast Michigan Trafficking and Exploitation Crimes (SEMTEC) Task Force and have been assigned investigations involving child sexual exploitation. I am federally deputized to investigate and enforce federal laws.
2. This affidavit is made in support of a criminal complaint charging PHILLIP LUCKY MCINTYRE, DOB: XX/XX/1984 with Sex Trafficking of a Minor in violation of 18 U.S.C. § 1591.
3. The facts and information contained in this affidavit are based on my own investigation which includes information conveyed to me by other law enforcement officials, other cooperating individuals, my personal experience and training with related offenses, and my personal knowledge and observations during the course of this investigation.
4. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint and arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary

to establish probable cause for an arrest warrant for PHILLIP LUCKY MCINTYRE.

5. On May 24, 2016, the Southeast Michigan Trafficking and Exploitation Crimes (SEMTEC) Task Force was contacted by the Detroit Police Department (DPD) regarding a report of a missing minor. DPD reported that on May 7, 2016, the mother of a 14 year-old girl (Minor Victim One, or MV-1) told police that she believed her daughter was being posted on commercial sex websites. MV-1's mother provided phone number (XXX) XXX-2975 for MV-1. MV-1's mother also provided police with a cell phone previously used by MV-1: a ZTE Z280 cell phone. MV-1's mother said that MV-1 used this phone before she ran away.

6. SEMTEC personnel searched the internet for advertisements for phone number XXX-XXX-2975 and located two advertisements on Backpage.com with photographs depicting MV-1. The advertisements were posted on May 20, 2013 and May 23, 2016, and listed the location as Detroit and Ann Arbor, Michigan, respectively. Both advertisements included pictures of MV-1 who was identified by her mother as her 14 year-old daughter. In several of the photographs, MV-1 was shirtless and wearing pink underwear.

7. On May 24, 2016, a SEMTEC officer working in an undercover capacity contacted the phone number listed in the Backpage.com ads. A female answered the phone and spoke to the undercover officer. The female stated that the pictures in the advertisements were of her and were real.

8. On May 25, 2016, as SEMTEC officers and agents were organizing an undercover operation to recover MV-1, SEMTEC learned from MV-1's mother that MV-1 was at home. MV-1's mother further stated that she had located MV-1 and brought her home.

9. On May 25, 2016, SEMTEC Task Force Officer Jeremy Quinn and your affiant interviewed MV-1 at her residence. During the interview, MV-1 stated that she was 14 years old, ran away from home earlier that month, and that during the time she was away from home she performed commercial sex dates. MV-1 stated that a woman named "Bree" coordinated her dates. MV-1 provided consent for law enforcement to review her cell phone that she had in her possession while she was away from home. The phone was a black LG, Model LGMS345 cell phone. MV-1 provided this phone to TFO Quinn and your affiant.

10. Your Affiant reviewed MV-1's LG phone and saw the following:

- a. A contact under the name of "LUCK" for phone number (XXX) XXX-4759;
- b. The phone number that MV-1's phone communicated with most frequently (327 times) was phone number (XXX) XXX-4759 (LUCK);
- c. A series of text messages between MV-1, LUCK, and others about commercial sex dates, including the following messages sent or received on May 22, 2016:

Date/Time	From	To	Message
5:25:47 PM	LUCK	MV-1	Are you gone take dick for the money for me
5:26:09 PM	MV-1	LUCK	Yes for u and only u
6:05:00 PM	Customer One (C1)	MV-1	Hi r u available now? Im in Ann Arbor
6:06:26 PM	MV-1	C1	Im only doing incalls
6:07:18 PM	C1	MV-1	Ok whats ur rate?
6:08:46 PM	MV-1	C1	Short stay \$120 half hour \$150 hour \$200
6:10:19 PM	C1	MV-1	Can u do hh for 50?
6:10:26 PM	MV-1	C1	No sorry
6:23:33 PM	C2	MV-1	Saw your ad
6:24:36 PM	C2	MV-1	Trying to come play
6:32:28 PM	MV-1	C2	Im only doing incalls
6:33:23 PM	C2	MV-1	Ok where are you
6:33:58 PM	MV-1	C2	Ann arbor
6:40:04 PM	C2	MV-1	Ok cool I'll come
6:30:21 PM	MV-1	C2	How long did u wanna see me for?
6:40:53 PM 6:41:11 PM	C2	MV-1	Half hour maybe a hour Hour if I'm enjoying myself
7:11:55 PM 7:13:51 PM	MV-1	LUCK	Im waiting on my 2 calls Making this money for u pappi

7:22:40 PM	LUCK	MV-1	Ok
9:04:35 PM	Customer Three (C3)	MV-1	What's your donation
9:05:13 PM	MV-1	C3	How long would u like to see me for?
9:06:12	C3	MV-1	Probably an hour. You ok with gfe?
9:06:51	MV-1	LUCK	Whats gfe?
9:08:04 PM	LUCK	MV-1	Girlfriend effect which is no , he want you to treat him like he your man and you his girlfriend kisses and four play , say no
9:08:32 PM	MV-1	LUCK	Ok
9:08:41 PM	MV-1	C3	No
9:44:06 PM	MV-1	LUCK	Papi someones here
9:44:43 PM	LUCK	MV-1	Ok for how long
9:44:49 PM	MV-1	LUCK	10 minutes \$120
9:45:02 PM	LUCK	MV-1	K
9:45:28	LUCK	MV-1	Let me know he leave
9:45:28	MV-1	LUCK	Do u want me to stilltext u and tell you in good when I get the money

11. On June 15, 2016, your Affiant conducted an open source media Facebook search for the phone number in MV-1's phone saved under the contact name "LUCK": (XXX)

XXX-4759. The search identified a Facebook profile under the name of “Lucky McIntyre (Lucky BamBeano.)” Affiant observed the pictures on this profile to match PHILLIP LUCKY MCINTYRE’s MI driver’s license image.

12. On or around June 15, 2016, your Affiant received a Cellebrite report from TFO P. Pesmark pertaining to MV-1’S ZTE Z820 cell phone (see paragraph 5). Affiant reviewed the Cellebrite report and observed the following:

- a. Several picture text messages from phone number (XXX) XXX-4751 that depicted a male that matched the MI driver’s license image photo for PHILLIP LUCKY MCINTYRE. In the photo, tattoos are visible, including a cross tattoo on his forearm.
- b. Text messages from MV-1 to (XXX) XXX-4751 on May 2, 2016, where MV-1 refers to the person as “Papi.”

13. On June 29, 2016, your Affiant conducted an open source media Facebook search for phone number (XXX) XXX-4751. The search returned a Facebook profile under the name of “Capp Winn.” Affiant observed the picture on this profile to match PHILLIP LUCKY MCINTYRE’S MI driver’s license image.

14. On July 5, 2016, MV-1 was interviewed by a child forensic interviewer. During the interview, MV-1 stated:

- a. When she was away from home, she was with a pimp that she knew as “Peel.”

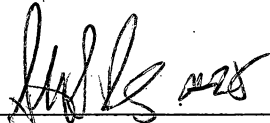
“Peel” also went by the names Lucky, LUCK, Ghost, and Bambeano. She described “Peel” as a short black male with tattoos all over his arms, his name on his left arm, and a cross tattoo on his left forearm.

- b. She met “Peel” when he approached her on Michigan Avenue and asked her if she wanted to make money. “Peel” then bought her new pink underwear and a bra.
- c. “Peel” took pictures of MV-1 laying on a bed in hotels that he used in the Backpage.com advertisements that he created.
- d. “Peel” bought her a black LG cell phone.
- e. She performed sex on “dates” and received money. “Peel” took all of the money she earned. When she did a “date” in Warren MI, “Peel” waited outside in the car for her. When she did “dates” at hotels, “Peel” waited on the porch.
- f. She charged \$150.00 for a 10 minute “date,” and \$200.00 for a 20 minute “date.” “Peel” told her how much to charge.
- g. “Peel” drove her to dates and drives a Black Magnum.
- h. While she was with “Peel,” she stayed at the Ann Arbor Days Inn Hotel, the Ann Arbor Red Roof Inn, and the Crest Motel in Detroit.

15. A search of registered vehicles to LUCK reveals that a 2007 Dodge Magnum is registered to PHILLIP LUCKY MCINTYRE with the Michigan Secretary of State.

16. Affiant knows from training and experience that the only way to post an advertisement and images on www.backpage.com is to use the Internet service. The images and information used to create the advertisement on www.backpage.com travels through interstate commerce. Backpage corporate offices are located in Texas and Arizona.

17. For the reasons set forth above, I believe probable cause exists that PHILLIP LUCKY MCINTYRE did knowing commit the offense of Sex Trafficking of a Minor in violation of 18 U.S.C. § 1591.



STERLING S. PRICE
Task Force Officer
Federal Bureau of Investigation

SUBSCRIBED TO AND SWORN TO
BEFORE ME THIS 17th day of August, 2016



R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE